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PATENT
600-1-081CON



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : STEINMAN ET AL.

#7 2/7/02
TBray

SERIAL NO. : 09/586,704

EXAMINER : R. SCHWADRON

FILED : MAY 5, 2000

ART UNIT : 1644

FOR : IDENTIFICATION OF DEC, A RECEPTOR WITH C-TYPE LECTIN
DOMAINS, NUCLEIC ACIDS ENCODING DEC, AND USES
THEREOF

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to the ASSISTANT COMMISSIONER OF PATENTS, WASHINGTON, DC 20231 on Oct. 30, 2001.

Michael A. Yamin, Reg. No. 44,414
(Name of Registered Representative)

Michael A. Yamin 10/30/01
(Signature and Date)

RESPONSE TO REQUIREMENT FOR RESTRICTION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Dear Sir:

This communication is responsive to the Office Action October 1, 2001, due for a response by November 1, 2001.

The Examiner has required restriction to one of the following inventions under 35 U.S.C.

112:

- Group I Claims 22 and 23, drawn to a pharmaceutical composition;
- Group II Claims 26-28, drawn to a vaccine; or
- Group III Claims 29 and 30, drawn to an immunosuppressive composition.

In response to the requirement, Applicants elect Group II, claims 26-28, drawn to a

vaccine, with traverse. Applicants respectfully urge the Examiner to reconsider the requirement, and include Group I, claims 22 and 23, drawn to a pharmaceutical composition, within the elected group. While Applicants agree that the claims of Group I and Group II are distinct, they are not so distinct as to merit division. Applicants respectfully point out that the vaccine of Group II comprises a molecule conjugated to a DEC-ligand, and an immune stimulator, the former related to the component in the compositions of Group I. Thus, a search cumulative of Groups I and II would not be expected to be unduly burdensome.

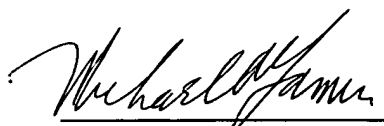
Fees

No fees are believed to be necessitated by the instant response. However, should this be in error, authorization is hereby given to charge Deposit Account No. 11-1153 for any underpayment.

CONCLUSION

Reconsideration of the requirement for restriction and inclusion of Group I in elected Group II is respectfully requested, as is examination on the merits.

Respectfully submitted,



Michael A. Yamin
Agent for Applicants
Registration No. 44,414

KLAUBER & JACKSON
411 Hackensack Avenue
Hackensack NJ 07601
Tel: (201) 487-5800